

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK**

Keanan Arnold,

Plaintiff,

v.

Northstar Location Services, LLC; and DOES
1-10, inclusive,

Defendants.

Civil Action No.: 1:15-cv-00844

COMPLAINT

For this Complaint, Plaintiff, Keanan Arnold, by undersigned counsel, states as follows:

JURISDICTION

1. This action arises out of Defendants' repeated violations of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692, *et seq.* (the "FDCPA").

2. Venue is proper in this District pursuant to 28 U.S.C. § 1391(b), in that Defendants transact business in this District and a substantial portion of the acts giving rise to this action occurred in this District.

PARTIES

3. Plaintiff, Keanan Arnold ("Plaintiff"), is an adult individual residing in Hampton, Virginia, and is a "consumer" as the term is defined by 15 U.S.C. § 1692a(3).

4. Defendant, Northstar Location Services, LLC ("Northstar"), is a New York business entity with an address of 4285 Genesee Street, Cheektowaga, New York 14225, operating as a collection agency, and is a "debt collector" as the term is defined by 15 U.S.C. § 1692a(6).

5. Does 1-10 (the "Collectors") are individual collectors employed by Northstar and whose identities are currently unknown to Plaintiff. One or more of the Collectors may be joined as parties once their identities are disclosed through discovery.

6. Northstar at all times acted by and through one or more of the Collectors.

ALLEGATIONS APPLICABLE TO ALL COUNTS

A. The Debt

7. A financial obligation (the “Debt”) was allegedly incurred to an original creditor (the “Creditor”).

8. The Debt arose from services provided by the Creditor which were primarily for family, personal or household purposes, which meets the definition of a “debt” under 15 U.S.C. § 1692a(5).

9. The Debt was purchased, assigned or transferred to Northstar for collection, or Northstar was employed by the Creditor to collect the Debt.

10. Defendants attempted to collect the Debt and, as such, engaged in “communications” as defined in 15 U.S.C. § 1692a(2).

B. Northstar Engages in Harassment and Abusive Tactics

11. Within the last year, Northstar contacted Plaintiff in an attempt to collect the Debt from “Richard Minson” (the “Debtor”).

12. Plaintiff is not the Debtor and is not responsible for repayment of the Debt.

13. On or about December 26, 2014, Plaintiff advised Northstar that it was calling the wrong number.

14. Nevertheless, Northstar continued calling Plaintiff in an attempt to collect the Debt from the Debtor.

COUNT I
VIOLATIONS OF THE FDCPA - 15 U.S.C. § 1692, et seq.

15. Plaintiff incorporates by reference all of the above paragraphs of this Complaint as though fully stated herein.

16. Defendants' conduct violated 15 U.S.C. § 1692d in that Defendants engaged in behavior the natural consequence of which was to harass, oppress, or abuse Plaintiff in connection with collection of the Debt.

17. Defendants' conduct violated 15 U.S.C. § 1692d(5) in that Defendants caused a phone to ring repeatedly and engaged Plaintiff in telephone conversations with the intent to annoy and harass Plaintiff.

18. Defendants' conduct violated 15 U.S.C. § 1692f in that Defendants used unfair and unconscionable means to collect the Debt.

19. The foregoing acts and omissions of Defendants constitute numerous and multiple violations of the FDCPA.

20. Plaintiff is entitled to damages as a result of Defendants' violations.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully prays that judgment be awarded in Plaintiff's favor and against Defendants as follows:

1. Actual damages pursuant to 15 U.S.C. § 1692k(a)(1);
2. Statutory damages of \$1,000.00 pursuant to 15 U.S.C. § 1692k(a)(2)(A);
3. The costs of litigation and reasonable attorney's fees pursuant to 15 U.S.C. § 1692k(a)(3); and
4. Such other and further relief as may be just and proper.

TRIAL BY JURY DEMANDED ON ALL COUNTS

Dated: September 20, 2015

Respectfully submitted,

By: /s/ Sergei Lemberg

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